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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,327	09/10/2003	Yun-Lung Chen		5959
25859	7590	08/16/2006		
WEI TE CHUNG FOXCONN INTERNATIONAL, INC. 1650 MEMOREX DRIVE SANTA CLARA, CA 95050				EXAMINER
				HANSEN, JAMES ORVILLE
			ART UNIT	PAPER NUMBER
				3637

DATE MAILED: 08/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/660,327	CHEN, YUN-LUNG	
	Examiner	Art Unit	
	James O. Hansen	3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 24 May 2006.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 9,10,18 and 19 is/are withdrawn from consideration.
- 5) Claim(s) 21 is/are allowed.
- 6) Claim(s) 1 and 13 is/are rejected.
- 7) Claim(s) 2-8,11,12,14-17 and 20 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, filed May 24, 2006, with respect to prior art rejections in view of TW 385 have been fully considered and are persuasive. Accordingly, The rejections of claims 1 & 13 have been withdrawn. A new office action on the merits is hereby put forth.

Information Disclosure Statement

2. In regards to the Office's request for a complete and legible copy of the foreign patent document TW 77200511, applicant responded in the "Remarks" section [5/24/06] that a new and complete copy of the cited publication was being resubmitted. At this time, the publication is still not of record [no copy was received by the office]. Accordingly, the reference has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1 rejected under 35 U.S.C. 102(b) as being anticipated by Gebara et al., [U.S. Patent No. 6,137,678]. Gebara (figures 1-22) teaches of a computer enclosure

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(fig. 1) for securing a plurality of disk drives each defining apertures in a side wall thereof, the computer enclosure comprising: a chassis (401) comprising a bottom plate (bottom of chassis) and a front plate (242 for example); a mounting apparatus (246) fixedly mounted to the apparatus comprising a first bracket (one side of 246 e.g.,) for receiving a plurality of disk drives therein and a fixed plate (bottom and the other side of 246) depending from one side of the first bracket, and a movable plate (248 – movable as in “removable”) detachably attached to the front plate and opposite to the fixed plate (opposite in the sense that the member is on the opposite side in relation to the plate so far as broadly recited), the movable plate comprising a first flange (bottom of 248) and a second flange (stepped portion on the top of 248 for example) at two opposite ends thereof securing to the bottom plate and the first bracket respectively (note fig. 9); wherein the fixed plate and the movable plate cooperatively form a second bracket for receiving a plurality of disk drives therein.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jelinger [U.S. Patent No. 5,768,097] in view of Lin et al., [U.S. Patent No. 6,227,631]. Jelinger (figures 1-14) teaches of a computer enclosure (fig. 3) for securing a plurality of disk drives each defining apertures in a side wall thereof, the computer enclosure comprising: a chassis (111) comprising a front plate (128); a mounting apparatus (fig.

9) mounted to the front plate, the mounting apparatus comprising a first bracket (920) for receiving some of the plurality of disk drives and a fixed plate (vertical plate of 920) integrally formed with the first bracket and fixed to the chassis (via 980), a plurality of first supporting means (970) being in the fixed plate; and a movable plate (vertical plate of 910 – movable in the sense that the plate is slidably adjustable relative to vertical wall of 920 via the top wall of 910) detachably attached to the chassis and parallel to the fixed plate, the movable plate and the fixed plate cooperatively forming a second bracket therebetween, the movable plate comprising a plurality of second supporting means (970) cooperating with the first supporting means to support disk drives in the second bracket [it is noted that the first bracket may comprise the second bracket so far as broadly recited – i.e., there are no limitations present that define a first bracket area distinct from the second bracket area for example]. Jelinger teaches applicant's claimed structure as disclosed above, but does not show the supporting means as being tabs. Lin (figures 1-5) is cited as an evidence reference to show that it was known in the art at the time the invention was made to utilize supporting tabs (14) within a disk drive bracket structure (6) for the purpose of slidably retaining disk drives. As such, the position is taken that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the supporting means of Jelinger so as to include supporting tabs as taught by Lin because this arrangement would provide a guiding surface for the disk drives to be slid into place thereby facilitating the insertion and mounting of the drives, while providing an additional support surface for the drives when seated thereby ensuring a stable mounting position in the event one or more of the fasteners (bolts typically used to secure the drives to the side walls of the cage structure) are removed.

Response to Arguments

7. As noted above, applicant's arguments with respect to the previous rejection have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, new grounds of rejection have been made as disclosed.

Allowable Subject Matter

8. Pending further review and consideration, Claim 21 is allowed.

9. Claims 2-8, 11, 12, 14-17 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Mroz and Johnson describe disk drive mounting structures.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James O. Hansen whose telephone number is 571-272-6866. The examiner can be reached on Monday-Friday between 8-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 571-272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



James O. Hansen
Primary Examiner
Art Unit 3637

JOH
August 14, 2006